

MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
AIR QUALITY TECHNICAL ADVISORY COMMITTEE MEETING

Thursday, February 3, 2000
MAG Office
Phoenix, Arizona

MEMBERS PRESENT

Larry Person for Dick Bowers, City of
Scottsdale, Chairman
Chandler: Jim Weiss
Gilbert: Danielle Typinski
Glendale: Doug Kukino
Mesa: Christine Zielonka
Phoenix: Gaye Knight
Tempe: Mike Short for Mary O'Conner
Citizen Representative: Walter Bouchard
Citizen Representative: Arve Dahl
Arizona Lung Association: David Feuerherd
*Arizona Automobile Dealers Association: Bobbi
Sparrow for W. Knox Ramsey, Jr.
Salt River Project: Greg Witherspoon
Southwest Gas Corporation: Brian O'Donnell
*Arizona Public Service Company: Scott Davis
Western States Petroleum Association: Gina Grey
Regional Public Transportation Authority: Bryan
Jungwirth
Arizona Motor Transport Association: Dave Berry
Maricopa County Farm Bureau: Jeannette Fish
*Arizona Rock Products Association: Samuel
Aubrey

*Associated General Contractors: David Martin
*Homebuilders Association of Central Arizona:
Connie Wilhelm-Garcia
*American Institute of Architects- Central Arizona:
H. Maynard Blumer
Valley Forward: Peter Allard
*Phoenix Chamber of Commerce: Ian Calkins
*University of Arizona - Cooperative Extension:
Monica Pastor
*Arizona Nursery Association: Cheryl Goar
Arizona Department of Transportation: Pat Cupell
Arizona Department of Environmental Quality: Peter
Hyde
Maricopa County Environmental Services
Department: Jo Crumbaker
Arizona Department of Weights and Measures: Mark
Ellery
*Federal Highway Administration: Dennis Mittelstedt
Arizona State University: Judi Nelson
*Arizona Farm Bureau: James Klinker
Salt River Pima-Maricopa Indian Community: Dawn
Daw for B. Bobby Ramirez
Citizen Representative: David Rueckert

*Those members were neither present nor represented by proxy.

OTHERS PRESENT

Allan Kosecki, Maricopa Association of
Governments
Dean Giles, Maricopa Association of
Governments
Roger Roy, Maricopa Association of
Governments
Robert Farrell, Pinal County Air Quality Control
District
Theresa Pella, Arizona Department of
Environmental Quality
Sandra Gilbert, Arizona Department of
Transportation

Lindy Bauer, Maricopa Association of Governments
Susie Stevens-Matthews, Stevens and Leibow
Judy Wood, Arizona State Land Department

1. Call to Order

A meeting of the MAG Air Quality Technical Advisory Committee (AQTAC) was conducted on Thursday, February 3, 2000. Gaye Knight, City of Phoenix, Acting Chairman, began a discussion of the agenda items at 1:30 p.m. since a quorum was not present.

4. Model Dust Control Ordinance

This item was presented out of order since a quorum was not present. Lindy Bauer, MAG, indicated that on December 8, 1999, the MAG Regional Council took action to direct staff to develop a model ordinance that will allow member agencies to enforce dust control rules and cite violators. The Regional Council was concerned over the downward trend in enforcement activity by Maricopa County with the fugitive dust control rules, which was part of the approvability problem identified by EPA for the MAG 1999 Serious Area Particulate Plan. MAG will be hosting a workshop on the model ordinance on February 18, 2000 from 9:00 a.m. to 12:00 p.m. A copy of the City of Mesa ordinance was mailed out by MAG to member agencies. In addition, an important new commitment has been made by the Maricopa County Board of Supervisors to strengthen Rule 310 on December 15, 1999.

2. Approval of the November 10, 1999 Meeting Minutes

Ms. Knight indicated that a quorum was now present. She then called the meeting to order. The Committee reviewed the minutes from the November 10, 1999 meeting. David Feuerherd, Arizona Lung Association, moved and Christine Zielonka, City of Mesa, seconded, and it was unanimously carried to approve the minutes from the November 10, 1999 meeting.

3. Draft Revised MAG 1999 Serious Area Particulate Plan for PM-10

Ms. Bauer presented an overview of the Draft Revised MAG 1999 Serious Area Particulate Plan for PM-10. Ms. Bauer described the sequence of events leading up to the submittal of the MAG 1999 Serious Area PM-10 Plan and the subsequent approvability problems outlined by EPA. She indicated that sanctions would be imposed on the area by the EPA beginning on March 2, 2000. These sanctions call for two to one offsets for major industrial sources. Ms. Bauer emphasized that the goal at MAG was to have no sanctions imposed. A request was sent to EPA to streamline the review of the Draft Revised MAG 1999 Serious Area Particulate Plan for PM-10. This resulted in a reduced review period from four months to three months. Ms. Bauer noted that the public hearing was held this past Monday, January 31, 2000 and that MAG Regional Council adoption is scheduled for February 23, 2000.

Brian O'Donnell, Southwest Gas Corporation, inquired why additional issues were addressed after the July 9, 1999 submittal. Ms. Bauer indicated that the EPA had concerns with the compliance rate for Rule 310 and the lack of sufficient control measures to reduce dust from paved roads and private unpaved roads. For a review of testimony received at the public hearing, Ms. Bauer introduced Allan Kosecki, MAG.

Mr. Kosecki provided an overview of the public testimony received for the Draft Revised MAG 1999 Serious Area Particulate Plan for PM-10. He indicated a copy of the draft response to public comments had been distributed to the Committee. Mr. Kosecki summarized the comments and

responses to public testimony from Arthur K. Parizek, citizen, and Jennifer B. Anderson, representing Arizona Center for Law in the Public Interest (ACLPI).

Mr. O'Donnell inquired about the letter from ACLPI concerning the adoption of California Air Resources Board (CARB) diesel. Ms. Bauer indicated the letter was included in the Committee materials under agenda item number eight. The CARB diesel measure was determined to be unfeasible. The Arizona Legislature did not require CARB diesel fuel after consideration of the measure. Bryan Jungwirth, Regional Public Transportation Authority, asked why CARB diesel was not considered feasible. Ms. Bauer mentioned that it was not considered feasible, in part, due to its high cost per ton of PM-10 reduced, the fact that California implemented reformulated diesel for reducing ozone emissions, and fuel supply issues. Mr. Feuerherd asked who submitted the justification. Ms. Bauer indicated that the justification was submitted by ADEQ.

David Rueckert, Citizen Representative, inquired about the 66 percent compliance rate on Rule 310 as mentioned by ACLPI. Ms. Bauer indicated that a 66 percent compliance rate would not be sufficient to demonstrate attainment.

Mr. O'Donnell asked whether or not sanctions would continue if the Arizona Legislature turned down the implementation of CARB diesel. Ms. Bauer responded that the Arizona Legislature did receive a copy of the ACLPI letter. Mr. Jungwirth inquired to the particulate reduction if CARB diesel were to be implemented. Ms. Bauer indicated that the impact of CARB diesel would be very small since vehicle exhaust contributed only 2.3 percent of the PM-10. Peter Hyde, Arizona Department of Environmental Quality, said that the emissions inventory indicates that 15 percent of fine particulates come from all combustion sources while monitoring indicates that ratio is 75 percent and the CARB effect could be greater. Mr. Kosecki informed the Committee that Mr. Hyde was referring to particulate matter known as PM-2.5, not PM-10.

Mr. Jungwirth moved for approval of the Draft Revised MAG 1999 Serious Area Particulate Plan for PM-10. Mr. Rueckert seconded and the motion passed unanimously.

5. Maricopa County Fugitive Dust Operating Plan

Jo Crumbaker, Maricopa County, reported on activities underway as part of the Fugitive Dust Operating Plan. These efforts include: the addition of two administrative enforcement officers, a new county attorney devoted to processing violations, and the establishment of regional offices. The enforcement policy is being revised to reflect the need for additional training and case documentation that will empower inspectors. Ms. Crumbaker indicated that the Small Business Assistance Program will be enhanced and that outreach to area universities will result in the development of a new manual. Training will be offered to interested cities.

Doug Kukino, City of Glendale, inquired about the external review of the implementation plan. Ms. Crumbaker informed the Committee that a series of external workshops will be scheduled. Mr. Rueckert asked about how the process will work. Ms. Crumbaker indicated that violators will be notified immediately of violations from the inspectors, but that it will take four to six weeks for a court date to be scheduled. Larry Person, City of Scottsdale, sought clarification on how the 80 percent efficiency in Rule 310 enforcement will be realized. Ms. Crumbaker informed the Committee that the EPA is also monitoring enforcement and will be undertaking a review of the Fugitive Dust

Operating Plan. Ms. Zielonka asked if the enforcement policy would need to go through the rulemaking process. Ms. Crumbaker indicated she would need to find out.

6. ADEQ Visibility Monitoring Program

Mr. Hyde provided a summary of the Arizona Department of Environmental Quality Visibility Monitoring Program. He reviewed how visibility is measured and reported that ADEQ measures visibility via a transmissometer between Baptist Hospital and the Quality Hotel in central Phoenix. Mr. Hyde indicated that as measured in light extinction, the five-year trend between 1994 and 1998 shows that the cleanest 20 percent of days is 93 percent dirtier. Ms. Knight asked whether the 93 percent dirtier also applied to visual range. Mr. Hyde indicated that it did not, but only to light extinction.

Dave Berry, Arizona Motor Transport Association, asked how the statistics are read and how the statistics compared to those found in the Grand Canyon Regional Haze study. In addition, he asked if unusual events were accounted for. Mr. Hyde responded that it is important to weed out natural causes of light extinction and that episodes with rain or fog were filtered out. Gina Grey, Western States Petroleum Association, indicated it would be helpful to compare the statistics presented here with those from other cities in the West and in rural areas. Mr. Hyde responded that ADEQ does have comparative data from Tucson. Greg Witherspoon, Salt River Project, inquired about the distance from the transmissometer to the receiver. Mr. Hyde indicated the distance was nearly three miles.

Mr. Hyde concluded by stating that a review of the findings would support an urban visibility standard. Mr. Berry asked if this was the position of ADEQ. Mr. Hyde responded that this was not the ADEQ agency position.

7. The 1999 Brown Cloud Project

Ms. Bauer reported that the 1999 Brown Cloud Project was approved by the MAG Regional Council on December 8, 1999. Copies of the final document are available upon request.

8. Legislative Update

Ms. Bauer indicated that a copy of an addendum to the February 3, 2000 Air Quality Technical Advisory Committee agenda has been distributed to the Committee. Senate Concurrent Memorial (SCM) 1004 urges the conversion of HOV lanes on portions of Interstate 17 and Interstate 10 to general purpose lanes. High occupancy vehicle lanes have been included in prior air quality plans and are in the base modeling for the new plans.

Mr. Rueckert asked what would happen to planned HOV lanes if the memorial passed. Ms. Bauer indicated that the memorial would be sent to Congress. Mr. Berry indicated that this would be the first time the Committee has taken a stance on legislation. He sought further information about the benefits of the legislation.

Mr. Feuerherd commented that a concurrent memorial was simply a statement with little emanating from it. Mr. Jungwirth indicated that some portions of the HOV lanes are already congested and

noted a recent HOV study being prepared by MAG. Mr. Jungwirth moved to recommend opposition to SCM 1004. Mr. Kukino seconded and the motion passed with four abstentions.

Mr. Berry inquired whether this Committee will be voting on positions for various legislative issues. Ms. Bauer indicated that the HOV issue is an issue of particular concern since HOV lanes were included in prior air quality plans. Ms. Knight commented that HOV lanes are not a complex issue to understand. Pat Cupell, Arizona Department of Transportation, mentioned the ramifications of eliminating the HOV lanes. He insisted that it is premature to make judgment that they do not work since not all connections are made in the network. Ms. Knight continued that is helpful to know the legislative issues, but that direction on how this Committee would handle legislative issues in the future is needed. Mr. Cupell added that the HOV issue could determine how Congestion Mitigation/Air Quality (CMAQ) funds are spent in the future.

9. Call to the Public

An opportunity was provided to members of the public to address the Air Quality Technical Advisory Committee. No comments were presented.

10. Next Committee Meeting

Ms. Knight announced that the next meeting of the AQTAC is tentatively scheduled for February 24, 2000. With no further business, the meeting was adjourned.